

Marchetti

WASHINGTON STAR

Approved For Release 2005/07/13 : CIA-RDP74B00415R000400170037-6

Injunction Against Ex-CIA Aide Is Extended

Star Staff Writer

A federal judge has imposed a preliminary injunction barring former Central Intelligence Agency member Victor L. Marchetti from disclosing any information about his tenure with the CIA.

The injunction, issued late yesterday after a hearing which was closed to the Public and the press for security reasons, follows a month of legal dickering over the question whether defense witnesses could be given security clearances to enable them to participate in the hearings.

Yesterday's action extends a temporary injunction issued April 17 barring Marchetti's writing on the CIA.

A three-judge appeals panel two weeks ago ruled that the CIA must make every effort to grant such security clearances, but Judge Albert V. Bryan Jr., ruled yesterday in

U.S. District Court that because of the secret and top secret classifications stamped on Marchetti's 15-year career in the CIA, all but a fraction of the testimony in the case was to be held in private.

He then ordered the press and other spectators, including Marchetti's wife, to leave the courtroom.

Marchetti, 42, of Vienna, Va., resigned from the CIA in 1969, after he said he began to have personal qualms about working for the agency.

He then wrote a novel en-

titled "The Rope Dancer," published last October by Grosset & Dunlap, about the inner workings of an agency similar to the CIA.

This winter the CIA seized an outline of an article Marchetti was writing for Esquire Magazine which was to be the basis for a non-fiction book about the CIA.

As a result of that material, Marchetti was temporarily enjoined on April 17 from disclosing any information about the CIA.

As in prior proceedings, Judge Bryan yesterday ruled that the CIA's battle to keep Marchetti from publishing his view does not constitute a First Amendment question. Instead, he said, the case is simply a matter whether or not Marchetti violated his contract with the CIA by attempting to make public classified material.

Attorneys for the defense said they wanted to demonstrate that official security classifications are made on a purely arbitrary basis by introducing previously published examples of needlessly classified secrets.

Judge Bryan, however, refused to hear any such testimony, they said.

The preliminary injunction was ordered because of a request made by the defense to introduce further testimony tomorrow morning. If that evidence does not alter the drifts of the case, Judge Bryan presumably will order a permanent injunction.